

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 344 of 1982

in

SPECIAL CIVIL APPLICATION No 3273 of 1982

For Approval and Signature:

Hon'ble MR.JUSTICE J.M.PANCHAL Sd/-  
and

Hon'ble MR.JUSTICE A.M.PAKADIA Sd/-

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements? No
  2. To be referred to the Reporter or not? No :
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement? No
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder? No
  5. Whether it is to be circulated to the Civil Judge? No :

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P.G. JAMESH

Versus

STATE OF GUJARAT  
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Appearance:

MR DU SHAH for Appellants  
MR MA BUKHARI, AGP for the State  
RULE SERVED for Respondent No. 4,19,20,21,22  
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CORAM : MR.JUSTICE J.M.PANCHAL and  
MR.JUSTICE A.M.KAPADIA

Date of decision: 13/01/2000

ORAL JUDGEMENT

(Per : Panchal, J.)

This appeal under Clause 15 of the Letters Patent is directed against judgment dated September 13, 1982 rendered by the learned Single Judge in Special Civil Application No. 3273/82 by which prayer made by the appellants to quash and set aside selection of the candidates made by respondent no.2, is rejected. It may be stated that Civil Application No. 3418/82 was filed in Letters Patent Appeal No. 344/82, wherein the respondents were restrained from reverting appellants no.1 & 2.

Mr. M.A.Bukhari, learned A.G.P. has produced a letter dated January 13, 2000 addressed by the Under Secretary, Ports & Fisheries Department, State of Gujarat, to him. It is ordered to be taken on record of the case. In the said letter it is mentioned that all the 15 appellants have retired from service and, therefore, he should make appropriate representation before the Court. Mr. Bukhari on instructions of the officer who is present in the Court states at the Bar that the appeal has become infructuous, as the appellants have retired from service and, therefore, it should be disposed of accordingly.

Mr. D.U.Shah, learned Counsel for the appellants also states that he has not been able to contact any of the appellants inspite of his best efforts, but the appeal should be treated as having become infructuous in view of the contents of letter dated January 13, 2000 and the same should be disposed of accordingly.

Having regard to the facts and circumstances of the case, we are of the opinion that the appeal has become infructuous and, therefore, deserves to be disposed of accordingly.

For the foregoing reasons, the appeal is dismissed as having become infructuous, with no orders as to costs.

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(patel)

